

**Notice of Allowability**

Application No.

09/998,779

Examiner

TUAN A PHAM

Applicant(s)

HITOMI ET AL.

Art Unit

2643

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/03/2001.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☒ The drawings filed on 03 December 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 7/28/04, 3/17/04.
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
CURTIS KUNTZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

## **DETAILED ACTION**

### **REASONS FOR ALLOWANCE**

1. Claims 1-4 are allowed over the prior art of record.
2. The following is an examiner's statement of reasons for allowance:

King-Smith (Pub. No.: U.S. 2002/0055331) teaches a digital audio broadcast receiver has a recording memory for selecting broadcast digital information and retrieving digital information from the memory, the receiver is able to store digital audio data and other related program data for playing back later. The digital audio broadcast receiver comprises a memory for storing the digital information data, digital broadcast storage subsystem for controlling the operation of the memory, and demodulator for demodulating of the received data of the selected channel.

Rault et al. (U.S. Patent No. 6,058,118) teaches a digital audio broadcast receiver comprises a main channel and plurality of sub-channels for receiving broadcast signals. The digital audio broadcast receiver comprises a memory for storing the digital information data, demodulator for demodulating of the received data of the selected channel, and read/write address management module for recording and reading the data in the memory.

Kersken et al. (Pub. No.: US 2001/0043584) discloses a method for transmitting traffic announcements, and street maps in the digital audio broadcast. The digital audio

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broadcast receiver comprises a memory for storing the digital information data, and demodulator for demodulating of the received data of the selected channel.

However, the prior art made of record fails to teach or suggest, the arrangement of a digital broadcast receiver for receiving broadcast signal comprising a plurality of main channel for broadcasting a main program and a sub-channel for broadcasting an independent program of relatively short period of time, the receiver being adapted to select one of the channels selected by the user based on header data contained in the broadcast signal of each channel, the digital broadcast receiver comprises: demodulator means for demodulating received data of the selected channel and outputting the resulting data, a memory having a capacity to store received data as to the program transmitted on the sub-channel in an amount of one program, memory writing control means for writing the received data as to the program transmitted on the sub-channel to the memory while updating the received data at all times, and memory reading control means for reading the received data stored in the memory from the head of the program and feeding the read data to the demodulator means in response to a manipulation for changing over the main channel to the sub-channel, in combination with other limitations, as specified in the independent claim 1, and further limitations of their respective dependent claims 2-4.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987 and E-mail address is: **tuan.pham@USPTO.GOV**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and

**IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).

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January 31, 2005  
Examiner

Tuan Pham

  
CURTIS KUNTZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600